

REMARKS

In response to the final office action dated October 18, 2002, Applicant is submitting a Request for Continued Prosecution with this Preliminary Amendment. Claims 24-49 are pending, all of which stand rejected. Applicant urges the Examiner to reconsider the application based on the amendments and arguments presented here.

In paragraph 1 of the final Office Action, the Examiner provisionally rejected claims 24-49 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 223-334 of co-pending Application No. 08/305,822. The Examiner indicates that although the conflicting claims are not identical, they are not patentably distinct from each other because the only difference between the present claims and the co-pending claims is that the co-pending claims claim particular indicia printed on the substrate such as the telephone number being an 800-number. The Examiner further indicates that *“it would have been obvious to one of ordinary skill in the art to provide toll free number indicia on the substrate of the present claims, since the particular type of indicia applied to the substrate would only depend on the intended use of the assembly and the desired information to be displayed.”* For the record, Applicant notes that the claims as pending at the time the final office action was issued did recite “telephone number indicia,” but not specifically, an “800-number.” At any rate, to obviate the Examiner’s provisional obviousness-type double patenting rejection over a pending second application, Applicant is submitting a terminal disclaimer with this preliminary amendment.

Further, in paragraph 3 of the final Office Action, the Examiner rejects claims 24-26, 28-33, 35, 36, 38-41, 43, and 45-49 under 35 U.S.C. Section 103(a) as being unpatentable over

Barr et al. ('530) in view of Roberts et al. ('553). In addition, in paragraph 4 of the Office Action, the Examiner rejected claims 27, 34, 37, 42, and 44 under 35 U.S.C. Section 103(a) as being unpatentable over Barr et al. in view of Roberts et al. and further in view of Goldman et al. ('708). In the interest of brevity, Applicant incorporates by reference, his prior reasons and arguments that point out the differences between the pending claims and the references asserted by the Examiner. To solicit continued consideration of the pending claims, Applicant submits amendments to independent claims 24, 32 and 41.

Favorable consideration and allowance of the claims in their present form is respectfully requested.

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